

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

history category III, which generates a sentencing guideline range of 70-87 months.

Upon consideration of all matters presented, the Court, having reviewed the transcript of the original sentencing hearing and having considered all of the matters which affect sentencing including the factors under 18 U.S.C. § 3553(a), determines that, in this case, the Sentencing Guidelines produce a reasonable sentence and that a sentence at the low end of the Guidelines is appropriate. Accordingly, pursuant to the Sentencing Reform Act of 1984, it is the judgment of this Court that Defendant, Denny Warren Schmitz, is hereby committed to the custody of the United States Bureau of Prisons, to be imprisoned for a term of 70 months. All other terms and conditions of the original sentence imposed on December 23, 2005 (Doc. 76) remain in effect.

**DONE** and **ORDERED** this 20<sup>th</sup> day of March, 2007.

s/WILLIAM H. STEELE  
UNITED STATES DISTRICT JUDGE